

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

BILLY DRIVER, JR.,

Plaintiff,

v.

CHCF, et al.,

Defendants.

No. 2:21-CV-0745-TLN-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion, ECF No. 5, for access to the Court's electronic case filing (ECF) system and for an investigation.¹

Plaintiff submits a check-the-box form motion indicating that he has access to "a computer tablet password/e-mail address. . . ." Id. at 2. Plaintiff also states he has access to an email account on a daily basis, a word-processing program, and a PDF reader/writer. See id. Plaintiff has not provided any explanation as to why receiving and filing documents in paper is insufficient. Pursuant to Eastern District of California Local Rule 133(b)(2), litigants such as Plaintiff who are appearing pro se may not utilize the Court's ECF system. On request "setting out an explanation of reasons for the exception," the Court may permit pro se litigants access to

¹ The same motion has been filed in case nos. 2:20-CV-0642-KJM-DMC-P, 2:21-CV-1142-JAM-JDP-P, and 2:20-CV-1665-JAM-KJN-P, and 2:21-CV-0761-KJM-DB-P.

1 the ECF system. See Local Rule 133(b)(3). Here, Plaintiff has not offered the required
2 explanation.

3 Attached to Plaintiff's motion, is a letter to the Clerk of the Court seeking an
4 investigation into the withholding of his mail resulting in missed deadlines in various pending
5 cases. See ECF No. 5, pg. 3. Plaintiff's request for an investigation is denied because the Clerk
6 of the Court lacks authority to initiate such an investigation, the Court is unable to order the Clerk
7 of the Court to do so, and any relief to which Plaintiff may be entitled is more properly the
8 subject of a new action against appropriate defendants.

9 Accordingly, IT IS HEREBY ordered that Plaintiff's motion, ECF No. 5, is
10 denied.

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12 Dated: October 18, 2021



13 DENNIS M. COTA
14 UNITED STATES MAGISTRATE JUDGE
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